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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/747,720	12/29/2003	Ramon M. Velez JR.	1235_001	5879

20874 7590 09/08/2005

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SYRACUSE, NY 13202

EXAMINER

EL ARINI, ZEINAB

ART UNIT	PAPER NUMBER
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1746

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/747,720

Applicant(s)

VELEZ, RAMON M.

Examiner

Zeinab E. EL-Arini

Art Unit

1746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 1-10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 11-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☒ Claim(s) 1-20 are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-10, drawn to an apparatus for fluidly flushing the internal cavities of plurality of parts, classified in class 134, subclass 171.
- II. Claims 11-20 are, drawn to a method for simultaneously flushing plurality of cavities in a plurality of parts, classified in class 134, subclass 22.12.

The inventions are distinct, each from the other because of the following reasons:

Inventions II and I are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case the process as claimed can be practiced by another apparatus such as one without a fixture or the apparatus as claimed can be used to practice another process such as cleaning or decontaminating medical equipments.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the

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art as shown by their different classification, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

During a telephone conversation with Dana Bigelow on 0/31/05 a provisional election was made with traverse to prosecute the invention of Group II, claims 11-20.

Affirmation of this election must be made by applicant in replying to this Office action. Claims 1-10 are withdrawn from further consideration by the examiner, 37

CFR 1.142(b), as being drawn to a non-elected invention.

Specification

The abstract of the disclosure is objected to because it is not directed to a method of cleaning as claimed herein. Correction is required. See MPEP § 608.01(b).

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 11-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 11, line 11, "holder member" lacks antecedent basis. At line 15, "tubular probes", and at line 19, "the inner surfaces" are all without proper antecedent basis.

In claim 12, line 2, "other then" is indefinite and confusing term.

In claim 15, line 1, "the same part", and at line 2, "the tubular probes", are without proper antecedent basis.

In claim 17, line 2, "said fixture" lacks antecedent basis, and at line 1, before including, "and" should be changed to read "further".

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buongiorno (5,679,174) in combination with Swanick (1,492,9050 or Kenton et al. (5,464,479).

Buongiorno discloses a method and apparatus for cleaning internal passageways of an airfoil (turbine blade) by inserting a tube into the internal passageway and col. 3, line 1- col. 4, line 5, and the claims. The reference discloses all limitations with the exception of installing a plurality of parts into a holder, providing a guide member, and providing a manifold as claimed.

Swanick discloses a method and apparatus for cleaning internal surface of a component by inserting a tube inside the component and dispensing a cleaning fluid into the internal surfaces. The apparatus has a plurality of nozzles, which are connected to common manifold 3. See Figs. 1-2, and the claims. The reference discloses the

installing step, the manifold, and the guide member as claimed.

Kenton et al. disclose a method for removing undesired material from internal spaces of parts (blades). The reference discloses installing a plurality of parts into a fixture, which is mounted in the flushing cabinet. The high pressure flush system comprises a cabinet, a central pump, a water source, plurality of hoses. The attachment hoses extend from the shuttle valve through cabinet wall fittings and connect to disconnects provided on the part holding fixture. The fixture, in turn, is designated to direct water from the hoses into the internal spaces of the blade. See col. 8, line 50- col. 9, line 30, and Fig. 3.

It would have been obvious for one skilled in the art to use the multiple dispensing means taught by Swanick or Kenton et al. in the Buongiorno process for the purpose of treating multiple components simultaneously to reduce the treatment time and to increase the process efficiency. The references fail to disclose probes are of different length. It would have been obvious for one skilled in the art at the time applicant invented the claimed process to utilize different size of dispensing means for the purpose of using the process for different size of components. One would have been motivated to change the length of the tubes so that can fit different size of components or tubes and clean the internal surface.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zeinab E. EL-Arini whose telephone number is (571) 272-1301. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on (571) 272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Zeinab Elarini
Zeinab E. EL-Arini
Primary Examiner
Art Unit 1746

ZEE
09/02/05